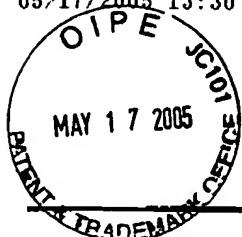


05/17/2005 13:30 FAX 312 427 6663

LADAS & PARRY LLP

001/007



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**Certification of Facsimile Transmission**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent & Trademark Office to Fax No. (703) 746-4000 on May 17, 2005 (7 pages).

Debra M. Szymowski

Name

Signature

May 17, 2005

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Examiner: Watts, Douglas D.  
Group Art Unit: 3724

**REQUEST FOR DUPLICATE COPY OF NOTICE OF ALLOWANCE  
& PAYMENT OF ISSUE FEE**

Re: Reinhold Reiling et al  
U.S. Serial No. 10/049,618  
Filed February 22, 2002  
Device For Post-Processing, More Particularly  
Sharpening A Tool Having A Plurality Of Teeth  
Our Docket: CU-3384

Dear Sir:

The last communication received in this application is a Decision on our Petition, which was mailed by the Patent Office on December 8, 2004, a copy of which is attached. The Decision indicated that a new Notice of Allowance would be issued, setting a term of three months for payment of the issue fee.

05/23/2005 BABRAHA2 00000027 120400 10049618

01 FC:2501 700.00 DA  
02 FC:1504 300.00 DA

Page 2

On February 17, 2005, a check was made of the PAIR website , in which attention is made to the last entry dated December 8, 2004: "Petition to Revive Application - Granted".

On March 11, 2005, a further check was made of the PAIR website, in which it was noted that on February 23, 2005 a corrected notice of allowance was mailed. However, it is noted that the Notice of Allowability does not appear in the Image Wrapper to enable the undersigned to download the same.

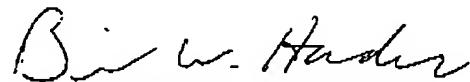
A check of the undersigned's file and all records relating to this application was made and once again, it is believed that the Notice of Allowance was never received in our office.

On March 17, 2005, a telephone call was made to Alan Shope(?) in Group 3700 explaining that the Notice of Allowance which was mailed on February 23 was never received. Mr.Shope indicated that he would send an e-mail to the clerk (Valerie Douglas) instructing her to remail a copy of the Notice of Allowance. Ms. Douglas was also contacted on March 17. Ms. Douglas indicated that she would contact the Examiner (Douglas Watts), indicating that it was the Examiner's responsibility to reorder the file and resend the notice of Allowability.

To date, the Notice of Allowance has never been received. A duplicate copy of said Notice of Allowance together with all enclosures is hereby respectfully requested to be facsimiled transmitted to the undersigned at Fax No. (312) 427-1300.

In addition, it is respectfully requested that the appropriate Issue Fee (and if applicable the publication fee) be charged to our Deposit Account No. 12-0400 to prevent this application from once again becoming abandoned due to failure to receive the Notice of Allowance.

Respectfully submitted,



Brian W. Hameder, Reg. 45613  
Attorney for Applicant

BWH:ds/15-16  
Enclosures

\*

05/17/2005 13:31 FAX 312 427 6663

LADAS & PARRY LLP

003/007

MAY 17 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

LADAS & PARRY  
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United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Paper No. 9

In re Application of :  
Reinhold Reiling et al :  
Application No. 10/049,618 : DECISION ON PETITION  
Filed: February 22, 2002 :  
Attorney Docket No. CU-3384 (02039) :

This is a decision on the petition originally filed on March 26, 2004, as resubmitted by facsimile transmission on August 16, 2004, by which petitioners request withdrawal of the holding that this application is abandoned for failure to pay the issue fee that was due on or before December 22, 2003. The petition is considered pursuant to 37 CFR 1.181, and no fee is required.

The petition is granted.

Petitioners allege that this application is not abandoned because petitioners did not receive the Notice of Allowance dated September 22, 2003, or any of the attachments thereto. Therefore, the fee could not be paid. In support of this allegation, petitioner has made a showing as discussed at MPEP § 711.03(c). The showing has been reviewed and it clearly satisfies the requirements of the Notice published at 1156 OG 53 pertaining to abandonment resulting from nonreceipt of Office correspondence. Based upon petitioners' showing, it is clear this application is not abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the Head Supervisory Applications Examiner for Technology Center 3700 to:

1. Enter the associate power of attorney and change of correspondence address that were also filed on March 26, 2004, prior to the recent amendments to 37 CFR 1.32; and
2. Mail a new Notice of Allowance, together with a complete copy of the Notice of Allowability and all attachments thereto. The period for payment of the Issue Fee will run THREE MONTHS from the date upon which the new Notice of Allowance is mailed, and cannot be extended pursuant to 37 CFR 1.136. The period for reply to certain requirements that may be set forth on the attached Notice of Allowability with respect to the submission of an oath or declaration, and with respect to certain requirements pertaining to the submission of formal drawings or drawing corrections, can no longer be extended. See 37 CFR 1.85(c), and 37 CFR 1.136(c) as amended, effective November 7, 2000, published at 65 Federal Register 54670 and 54674, respectively.

After the above mailings are accomplished, the application will be forwarded to the Office of Patent Publication for processing into a patent.

PETITION GRANTED.

*E. Rollins-Cross*

E. Rollins-Cross, Director  
Technology Center 3700

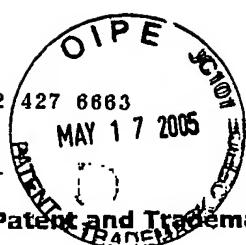
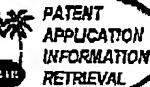
Richard J. Streit  
c/o Ladas & Parry  
224 south Michigan Avenue  
Chicago, IL 60604

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Search results as of: 2-17-2005::15:19:37 E.T.

**Search results for application number: 10/049,618**

Application Number:	10/049,618	Customer Number:	26530
Filing or 371(c) Date:	02-22-2002	Status:	Abandoned - Failure to Pay Issue Fee
Application Type:	Utility	Status Date:	01-26-2004
Examiner Name:	WATTS, DOUGLAS D	Location:	TC 3700 SPE OF GAU ASSIGNED
Group Art Unit:	3724	Location Date:	02-13-2005
Confirmation Number:	7758	Earliest Publication No:	-
Attorney Docket Number:	02039	Earliest Publication Date:	-
Class/ Sub-Class:	076/048	Patent Number:	-
First Named Inventor:	Reinhold Reiling, Konigsbach-Stein, (DE)	Issue Date of Patent:	-
Title Of Invention:	DEVICE FOR POST-PROCESSING, MORE PARTICULARLY SHARPENING, A TOOL HAVING A PLURALITY OF TEETH		

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Select Search Option

 Foreign Priority Image File Wrapper Patent Term Adjustment History**File History**

Date	Contents Description
12-08-2004	Petition to Revive Application - Granted
08-16-2004	Petition Entered
08-13-2004	Workflow incoming petition IFW
04-02-2004	Correspondence Address Change
01-26-2004	Mall Abandonment for Failure to Pay Issue Fee
01-26-2004	Abandonment for Failure to Pay Issue Fee
02-22-2002	Workflow - Drawings Finished
02-22-2002	Workflow - Drawings Matched with File at Contractor
11-11-2003	Receipt into Pubs
09-30-2003	Workflow - File Sent to Contractor
09-26-2003	Receipt into Pubs
09-25-2003	Dispatch to Publications
09-22-2003	Mall Notice of Allowance
09-22-2003	Mall Formal Drawings Required
09-22-2003	Mall Oath of Declaration Required
09-22-2003	Oath or Declaration Required
09-22-2003	Formal Drawings Required
09-22-2003	Notice of Allowance Data Verification Completed

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09-22-2003	Notice of Allowability
02-22-2002	Preliminary Amendment
06-11-2002	Case Docketed to Examiner in GAU
04-23-2002	IFW Scan & PACR Auto Security Review
04-12-2002	Application Dispatched from OIPE
04-12-2002	Notice of DO/EO Acceptance Mailed
02-22-2002	Initial Exam Team nn

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**PATENT APPLICATION INFORMATION RETRIEVAL**

Search results as of: 3-11-2005::14:37:42 E.T.

Search results for application number: 10/049,618			
Application Number:	10/049,618	Customer Number:	26530
Filing or 371(c) Date:	02-22-2002	Status:	Allowed – Notice of Allowance Mailed – Issue Revision Completed
Application Type:	Utility	Status Date:	02-22-2005
Examiner Name:	WATTS, DOUGLAS D	Location:	TC 3700 LEGAL INSTRUMENTS EXAMINER TEAM 5, PK1-5C00
Group Art Unit:	3724	Location Date:	02-22-2005
Confirmation Number:	7758	Earliest Publication No.:	-
Attorney Docket Number:	02039	Earliest Publication Date:	-
Class/ Sub-Class:	076/048	Patent Number:	-
First Named Inventor:	Reinhold Reiling, Konigsbach-Stein, (DE)	Issue Date of Patent:	-
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## Search Options

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Patent Term Adjustment History
Publication Review

## File History

Date	Contents Description
02-23-2005	Mail Corrected Notice of Allowance
02-23-2005	Mail Formal Drawings Required
02-22-2005	Formal Drawings Required
02-22-2005	Corrected Notice of Allowance
02-22-2005	Withdraw Publication/Pre-Exam Abandon
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